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PATENT

ATTORNEY DOCKET NO.: AERO1120-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Hall et al. Art Unit: 1652
Serial No.: 09/441,966 Examiner: David J. Steadman
Filed: November 17, 1999 Confirmation No. 5234
Title: METHOD FOR ACCELERATING THE RATE OF MUCOCILIARY
CLEARANCE

Mail Stop PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**PETITION FOR
REVIVAL OF AN UNINTENTIONALLY ABANDONED APPLICATION
PURSUANT TO 37 CFR § 1.137(b)**

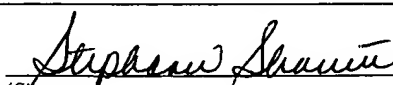
Sir:

Pursuant to the Notice of Abandonment mailed May 5, 2005 regarding the above-captioned patent application, Applicants' Petition for Revival of an Unintentional Abandoned Application pursuant to 37 C.F.R. §1.137(b). Applicants submit this Petition under 37 C.F.R. §1.137(b) for the revival of the above-identified application, which was unintentionally abandoned on January 14, 2005, for failure to properly respond to the Advisory Action mailed on December 10, 2004.

06/07/2005 JBALINAN 00000084 09441966

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CERTIFICATION UNDER 37 CFR §1.8	
I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date, June 2, 2005, in an envelope addressed to: Mail Stop PETITION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
Stephanie Sharrett (Name of Person Mailing Paper)	
 (Signature)	 (Date)

Submitted herewith, as required by C.F.R. §1.137(b)(1-3), are the following:

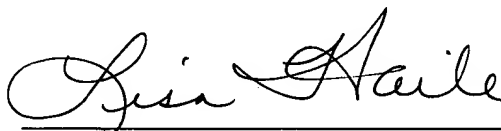
1. Amendment in Response to the Final Office Action mailed July 14, 2004 herewith;
2. The petition fee pursuant to 37 C.F.R. § 1.17(m); and
3. A statement that the entire delay in filing the required reply, from the due date for the reply until the filing of this petition pursuant to 37 C.F.R. § 1.137(b), was unintentional.
4. Request For Continued Examination (1 page);
5. Check No. 577952 in the amount of \$2,290.00;

Applicants respectfully petition for unintentional revival of the above-identified application.

Enclosed is Check No. 577952 in the total amount of \$2,290.00 which includes the Request for Continued Examination fee of \$790.00 and for the Unintentionally Abandoned Application fee of \$1500.00. The Commissioner is hereby authorized to charge any other fees associated herewith, or credit any overpayment, to Deposit Account No. 07-1896. A duplicate copy of this Petition is enclosed.

Respectfully submitted,

Date: June 2, 2005



Lisa A. Haile, J.D., Ph.D.
Registration No. 38,347
Telephone: (858) 677-1456
Facsimile: (858) 677-1465

USPTO Customer Number 28213
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San Diego, California 92121-2133



PATENT
ATTORNEY DOCKET NO.: AERO1120-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

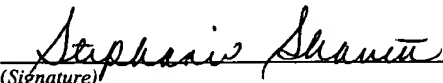
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Serial No.: 09/441,966 Examiner: David J. Steadman
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Title: METHOD FOR ACCELERATING THE RATE OF MUCOCILIARY
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Mail Stop **PETITION**
Commissioner for Patents
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**STATEMENT ACCOMPANYING PETITION TO REVIVE
AN UNINTENTIONALLY ABANDONED PATENT APPLICATION
PURSUANT TO 37 CFR § 1.137(b)**

Sir:

Responsive to the Notice of Abandonment mailed May 5, 2005, Applicants hereby petition for revival of the above-identified application under the provisions of 37 CFR § 1.137(b) on the grounds that the application was abandoned unintentionally by the U.S. Patent and Trademark Office without deceptive intent. The above identified application became abandoned for Applicants' alleged failure to file a response to the Advisory Action mailed on December 10, 2004. As Applicants were therefore unable to submit a timely response, revival of the application is respectfully requested.

CERTIFICATION UNDER 37 CFR §1.8	
I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date, June 2, 2005 , in an envelope addressed to: Mail Stop PETITION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
Stephanie Sharrett (Name of Person Mailing Paper)	
 (Signature)	June 2, 2005 (Date)

In re Application of:
Hall, et al.
Application No.: 09/441,966
Filed: November 17, 1999
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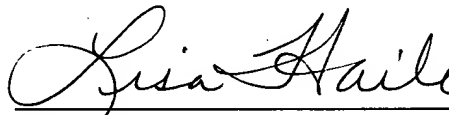
PATENT
Attorney Docket No.: AERO1120-1

Applicants submit with this Petition for Unintentional Revival an Amendment to the Final Office Action mailed July 14, 2004, along with a Request for Continued Examination which corrects the outstanding response due for the subject application.

Enclosed is Check No. 577952 in the total amount of \$2290.00, which includes the petition fee of \$1,500.00 to revive an unintentionally abandoned application pursuant to 37 CFR § 1.17(m) and the Request for Continued Examination fee of \$790.00. No additional fees are believed due with the present response. However, the Commissioner is hereby authorized to charge any other fees that may be associated with this communication, or credit any overpayment to Deposit Account No. 07-1896. If the Examiner would like to discuss any of the issues raised herein, Applicants' representative can be reached at (858) 677-1456.

Respectfully submitted,

Date: June 2, 2005



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